

## LESSON PLAN

### INTRODUCTION

A. Course Title: Ethics and Moral Issues

Instructional Goals: Basic knowledge of Ethics and Morals

Instructional Objectives:

Define terms concerning ethics, sexual harassment and cultural diversity  
Talk about Sexual Harassment  
Talk about cultural diversity  
Talk about professionalism

Upon completion of this course, participants will be able to:

Discuss why ethical conduct is important  
Understand why the highest ethical and moral standards are necessary for enforcement officers  
Talk about the Law Enforcement Code of Ethics  
Discover how immoral conduct by an officer adversely affects the officer in performance of his duties  
Know how to identify ethical dilemmas  
Understand some tools that can be used to make ethical decisions

### DOING THE RIGHT THING, EVEN WHEN NO ONE IS WATCHING

"Our first job is to distinguish, in every context, between the demands of law and the demands of ethics - between the danger and fear of being sued, prosecuted, defrocked, and the much subtler, but more pervasive danger of being systemically and cruelly wrong."

- William Bratton while Chief of Los Angeles

Instructor/Student Introductions

COURSE PHILOSOPHIES

Respectful but Relaxed Atmosphere

Misery is Optional

Ask Questions

Fill up the tool box

Laugh and Learn

"I didn't even have time to be bored!"

-James Herrera Artesia PD

## OUTLINE AND PRESENTATION

### DEFINING ETHICS

Ethics ... *defined*

The principles of honor and morality; Accepted rules of conduct; The principle of conduct governing an individual or group.

***But in the Final Analysis, ethics is really all about...***

*What we do!*

Case study: Tom Coleman

Ethics in Public Service

Higher Standards

...granting authority without expecting public servants to live up to the standards would be unfair to everyone they are expected to serve.

--Edwin J. Delattre

I CAN'T PAY YOU TO BE ETHICAL...OR CAN I?

*Raise the salaries if jobs merit higher pay, but not in expectation of buying in.* Nobody sells that. People who have it give it for free.

-William Bratton while Chief of Los Angeles PD

Tom Coleman case study: part 2

Why did you get into this line of work?

WHAT HAVE I GOTTEN MYSELF INTO?

What do people want from you as a public employee?

"To keep me safe and secure in my own home and don't infringe on my rights doing it."

Keep me safe and secure...and don't infringe on my rights while you do it.

PROFESSIONALISM

Service to others

Assessment of client needs

Theoretical body of knowledge obtained through extended pre-service education  
Standards for entry, practice, and ethical conduct

Professional association to maintain standards

Continuing education - life long learning

As Police Officers, we are symbols of our society. Our goal should be to achieve being recognized not only as an authority figure, but also one of a public service professional.

Law enforcement officers have been bestowed with the "Public Trust". We must exercise extreme care to maintain the trust that has been given us

Professional?

Law Enforcement Code of Ethics

The *Law Enforcement Code of Ethics* was adopted by the International Association of Chiefs of Police in 1957.

In 1989, the IACP revised the code to enhance its relevance to modern policing and re-named it the Police Code of Conduct

Code of Ethics

A basic set of rules or standards to which people should conform in the regulation of their lives or the performance of their duties

Performance Objectives And Instructional Cues	OUTLINE AND PRESENTATION
<p>This video is recommended for use with this lesson</p>	<p>Class Brainstorming Project...</p> <p>What types of things are unethical?</p> <p>Petard A 19<sup>th</sup> Century implement initially developed by the French to breach doors u explosive device To hoist by or with one's own petard means a person was hurt, ruined, destroyed by the very device or plot they had intended for another. The "Hoisted by Their Own Petard Award" goes to the officers who dis their scheme to fabricate a charge against a motorist whose car was struck fr behind by a patrol unit ... while neglecting the fact that their entire conversatic recorded on the dash-cam in their vehicle!</p> <p>Funny? Framed by the Dash Cam -NBC March 2009 So...What happens if I lie? Are you going to risk _____ years, \$_____ and yo retirement for this?</p> <p>What happens if I lie?</p> <p>Brady v Maryland 1963 case involves the right of the accused to discover exculpatory evidence possession of the government Surrounds the cover up of evidence Petitioner and companion convicted &amp; sentenced Companion admitted doing the killing Petitioner was denied access to the companions statements Later, court of appeals ruled that suppression of the evidence denied petition process</p> <p>Definitions <u>Exculpatory Evidence/Brady Material</u> – Evidence in the government's posses is favorable to the accused and that is material to either guilt or punishment, i evidence that may impact the credibility of a witness. More Definitions ...  <ul style="list-style-type: none"> <li>▪ <u>Duty to Disclose</u> – The landmark decision of Brady v. Maryland (1963) an affirmative constitutional duty on a prosecutor to disclose exculpato evidence to a defendant. This duty has been extended to police agenc through case law, requiring law enforcement agencies to notify the pro or any potential exculpatory information</li> <li>▪</li> </ul> </p>



Performance Objectives And Instructional Cues	OUTLINE AND PRESENTATION
<p>OHD Page 4 – 8</p>	<p>Committing acts which indicate a lack of good moral character, or which cons dishonesty or fraud, and which adversely affects an officers ability to exercise her the duties as of a certified law enforcement officer;</p> <p>Committing acts of violence or brutality which indicate that the officer has abu authority granted to him or her as a commissioned law enforcement officer in state of New Mexico;</p> <p>Is found to have committed acts which would be grounds for denial of applica admission under 10.29.1.10 NMAC.</p> <p><b>REPORTS TO ACADEMY BOARD</b></p> <p>The Chief is required to report to the academy w/in 90 days of receiving comj misconduct where there is an ongoing investigation.</p> <p>The termination of an employee has no bearing on whether the report should shouldn't be made to the board. They shall be made.</p> <p><b>REPORTS TO ACADEMY BOARD</b></p> <p>The reports are evaluated by the director and if appropriate, after following hi process, are presented to the academy board for action. This could be suspri revocation of LE certification.</p> <p>Tom Coleman part 3 So...what does happen when you lie?</p> <p>What types of things can I use to make ethical decisions?</p> <p><b>DISCRETION ANDPROFESSIONAL COURTESYDISCRETION</b></p> <p>An official action by a criminal justice official based on that individual's judgm about the best course of action</p> <p>Sometimes limited by law and policy</p> <p>Pervasive throughout the CJ system</p> <p>Advantages Of Police Discretion</p> <p>Effective use of resources</p> <p>Individualized justice (does everybody need jail?)</p> <p>Promotes job satisfaction</p> <p>Promotes autonomy (self sufficiency)</p> <p>Necessary for efficiency in CJ system</p> <p>Promotes humanitarian principles</p> <p>Disadvantages of Police Discretion</p> <p>Potential for abuse</p> <p>Potential for corruption</p> <p>Potential for needless death or injury</p> <p>Potential for possible citizen complaints for unequal treatment</p> <p>Potential for possible litigation</p> <p><b>DISCRETION</b></p> <p>Officers may decide not to seek formal charges or may request the filing of a serious charge. In making these decisions officers effectively determine who subject to the criminal justice process.</p> <p>Should we be able to do this?</p> <p><b>Discretion is either CJ's shining moment or its worst enemy.</b></p> <p><b>Which do you think it is?</b></p> <p>Professional Courtesy:</p>

Performance Objectives And Instructional Cues	OUTLINE AND PRESENTATION
<p>OHD Page 9 &amp; 10</p> <p>OHD Page 11 &amp; 12</p>	<p>Police officers often give other officers who may be caught in minor infraction something called professional courtesy.</p> <p>“I haven’t ever been in a situation where I felt the need to write an officer. U it's a pretty professional exchange. I did get peeved at one officer who flipped his id holder and hung it out the window. If you'll just give me about 10 second walk up to your car we can have that exchange in private and not in front of the world.”</p> <p>A. Officer Where Ever NM</p> <p>“Officers need to think about ‘professional courtesy’ vs. ‘perceived corrupt practice’ an off-duty police officer is being given a break solely because of his law enforcement status, it would most likely be seen by anyone outside of LE as being a corrupt practice.”</p> <p>Any Chief Anywhere USA</p> <p>“Whenever someone asks me if I would ticket a Police Officer I tell them I would not cite another Police Officer (but for few exceptions like DUI, Hit and etc.). However, I also add the following, I DO NOT cite every citizen I stop, if I cite every citizen I stop then it would be wrong to give a fellow Officer a break.”</p> <p>T. Guy Anywhere USA</p> <p>What are the results of unethical conduct?</p> <p>Loss of Career</p> <p>Family embarrassment</p> <p>Citizens feeling that the whole profession is no good</p> <p>Others?</p> <p>Having the courage to always do the right thing could be an ethical officer’s epitaph.</p> <p>What’s going on your epitaph?</p> <p>WHY DO OFFICERS DO UNETHICAL THINGS?</p> <p>THE TOP FOUR</p> <p>Reasons for bad decisions:</p> <p>Greed</p> <p>Sex</p> <p>Peer Pressure</p> <p>Revenge</p> <p>EEOC Defines Sexual Harassment As:</p> <p>Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:</p> <p>A. Submission is made explicitly or implicitly a term or condition of employment</p> <p>B. Submission to or rejection of such conduct by an individual is used as the basis for an employment decision</p> <p>C. Conduct has the purpose or effect to interfere with a person’s work performance or creates a hostile work environment</p>



Performance Objectives And Instructional Cues	OUTLINE AND PRESENTATION
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OHD  
Page 18 – 20

It can expose the department to possible litigation and embarrassing press  
Persons involved may be held personally responsible and liable  
The Employer & the Non-Employee  
Sexual harassment can also come from outside the department  
Federal guidelines establish the right of employees to be protected from harassment by non-employees  
Employers are responsible for any acts of sexual harassment perpetrated by employees while conducting business in the employer's work place  
Steps to take if you are Sexually Harassed

1. Remain cool and professional.
2. Be direct and candid with the person. Let the person know their behavior is unwelcome. **You are not required to notify the person their behavior is unwelcome for it to be sexual harassment.**
3. Follow your department's policies & procedures

Who are we?  
Patterson and Kim, "The Day America Told the Truth"  
Believe in all 10 Commandments 13%  
Call in sick when they are not 50%  
Lie regularly (work and home) 91%  
Married people having/had an affair 31%  
Aren't sure would marry same person again 47%  
Don't know next door neighbors 72%  
Say there are no American heroes 70%  
Moral Regions - New England is:  
#1 in giving to charity ... and ...  
#1 in cheating on spouses  
SONTAG CONNECTOR  
*Values Are Primarily Caught, Not Taught!!*  
Blanchard and Peale  
"The Power of Ethical Management", 1988  
THE GOLDEN RULE

OHD  
Page 20 – 23

The Six Pillars of Character  
Auth: Michael Josephson

1. Trustworthiness  
Honesty  
Integrity  
Promise-keeping  
Loyalty
2. Respect
3. Responsibility  
Accountability  
Pursuit of Excellence  
Self-Restraint or win at any cost
4. Justice/Fairness
5. Caring



Performance Objectives And Instructional Cues	OUTLINE AND PRESENTATION
<p>At end of this section, video should be shown –“Sexual Harassment: Serious Business” is recommended</p> <p>HO1 Page 1 – 3</p> <p>HO1 Page 6 - 11 Class Exercises</p>	<p>6. Civic Virtue and Citizenship Boyscouts? DO THE ENDS EVER OUTWEIGH THE MEANS OR...WIN AT ANY COST? Think ... Then A.C.T. “A” .... Alternatives ID “C” .... Consequences Project the good and bad “T” .... Tell Your Story Consider your defense Use your new ACT tool... DECISION MAKING TOOL: YOUR MORAL FILTER Take your coffee filter Write the essential core values, attitudes and beliefs that are important to you Write as many as you want YOU DON’T HAVE TO SHARE WITH OTHERS UNLESS YOU WANT THE MORAL FILTER My Moral Filter? 1. Family 2. Church 3. Job 4. School 5. Financial Survival 6. Country’s Stability ETHICS CHECK QUESTIONS Is it legal? Just because I can? The A’s Is it Balanced? Are there any words that are used to guide your decisions? How will I feel about myself? Will others agree with my choice? ANOTHER MORAL DECISION MAKING TOOL:  UTILITARIANISM A big word for: The greatest amount of pleasure for the greatest number of people UTILITARIANISM BY MR SPOCK UTILITARIANISM AS EXPLAINED IN THE BIBLE through the Gospel according to St. John (11<sup>th</sup> Chapter) “...Caiaphas, being the high priest...said unto them...’it is expedient for us, th man should die for the people, and that the whole nation perish not.’” Let’s give Utilitarianism a try: Trolley Car</p>

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	<p>Trolley car and the fat guy</p> <p>Paging: Dr ____ (You) ____</p> <p>Malpractice</p> <ul style="list-style-type: none"> <li>Should every decision we make be based on what the best thing is for most people?</li> </ul> <p><b>People own themselves, so how are decisions made for them by (us) when they have no say?</b></p> <p>The Thin Blue Line</p> <p>THE THIN BLUE LINE</p> <p>You are the thin blue line between law abiding citizens and criminals or</p> <p>Between order and chaos, so...</p> <p>Does this give you the right, obligation, duty or requirement to make m decisions for others rather than them making decisions for themselves?</p> <p>Order or Chaos?</p> <p>Ticking Nuclear Bomb Scenario</p> <p>Known Terrorist</p> <p>Nuclear bomb</p> <p>You know how to defuse it</p> <p>Where is it?</p> <p>Do you use torture to possibly find out where it is in time to defuse it? When turn into punishment?</p> <p>What might be along the same lines?</p> <p>Child Kidnapping Scenario</p> <p>Young girl kidnapped by known felon</p> <p>Already plead guilty 30 years ago to kidnapping rape and battery</p> <p>All leads in case have been exhausted</p> <p>Suspect tells you she is still alive</p> <p><b>Torture or no?</b></p> <p>Balance the need for successful prosecution with the concern for the girl's life underlying concern of civil and criminal liability</p> <p>Order or Chaos?</p> <p>Supreme Court of United States Justice Antonin Scalia</p> <p>Formalism</p> <p>A decision that is based in pure motive</p> <p>Some decisions have little to no ethical support:</p> <p>THE DECIDING VOTE</p> <p>To learn about formalism, lets play a game called:</p> <p>You alone get to pick the next extreme exalted ruler of the world. So will it be</p> <p>THE DECIDING VOTE</p> <p>Candidate A</p> <p>Associates with crooked politicians</p> <p>Consults with astrologers</p> <p>Had 2 mistresses</p> <p>Chain smokes</p>

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	<p>Drinks up to 10 martinis a day</p> <p>THE DECIDING VOTE</p> <p>Candidate B</p> <p>Ejected from public office twice</p> <p>Sleeps until noon</p> <p>Used drugs in college</p> <p>Drinks a large amount of whiskey every evening</p> <p>THE DECIDING VOTE</p> <p>Candidate C</p> <p>Decorated war hero</p> <p>Vegetarian</p> <p>Doesn't smoke</p> <p>Has only an occasional beer</p> <p>Never had an extra marital affair</p> <p>THE DECIDING VOTE</p> <p>Candidate A?</p> <p>U.S. President during the great depression and WWII</p> <p>THE DECIDING VOTE</p> <p>Candidate B ?</p> <p>Prime Minister of the UK during WW II</p> <p>THE DECIDING VOTE</p> <p>Candidate C ?</p> <p>Reign resulted in the death of 11M people</p> <p>principles of diversity make us</p> <p>Not mean spirited or cruel but...</p> <p>HUMAN</p> <p>Since we're human we need to enhance the skills enabling us to effectively ir with everybody.</p> <p style="text-align: right;">UNESCO</p> <p>Define the term "diversity"</p> <p>"Diversity is the term used to describe the relative uniqueness of each individ the population...the state of being diverse."</p> <p>Diversity is a set of conscious practices that involve:</p> <p>Understanding and appreciating interdependence of humanity, cultures, and natural environment</p> <p>Practicing mutual respect for qualities and experiences that are different from own</p> <p>Understanding that diversity includes not only ways of being but also ways of Continued...</p> <p>Recognizing that personal, cultural, and institutionalized discrimination create sustains privileges for some while creating and sustaining disadvantages for</p> <p>Building alliances across differences so that we can work together to eradicate forms of discrimination</p> <p>How do people differ from one another?</p> <p>Why do people respond in different ways to the same situation?</p>

Performance Objectives And Instructional Cues	OUTLINE AND PRESENTATION
	<p>Are these differences inherited, learned or both?</p> <p>Discuss the term “human diversity”</p> <p>Skin Color</p> <p>Gender</p> <p>Age</p> <p>Appearance</p> <p>Facial Expression</p> <p>Eye Contact</p> <p>Movement</p> <p>Personal Space</p> <p>Touch</p> <p>Do you make decisions about how to interact with people based on these?</p> <p>Take a few minutes to make your own list of the differences you notice in people when you first meet them.</p> <p>List “dimensions of diversity”</p> <p>Age</p> <p>Ethnicity</p> <p>Gender</p> <p>Physical Abilities/Qualities</p> <p>Race</p> <p>Sexual orientation</p> <p>Job Classification</p> <p>Military Experience</p> <p>Parental Status</p> <p>Religious Beliefs</p> <p>Work Experience</p> <p>Geographic Locations</p> <p>Socioeconomic Status</p> <p>And the list goes on...</p> <p>When we examine these we realize the many attributes we have in common with each other while at the same time appreciating those that make us unique.</p> <p>Discuss the United States changing demographics</p> <p>Changing demographics:</p> <p>By the year 2050:</p> <p>Less than 53% of population White</p> <p>16% African American</p> <p>23% Hispanic Origin</p> <p>10% Asian and Pacific Islander</p> <p>1% American Indian, Eskimo, and Aleut</p> <p>By the year 2056:</p> <p>People of color are expected to become the new majority</p> <p>In addition:</p> <p>The fastest growing age group: 75 and older</p> <p>In 2008: 48% increase in workers 55 and older</p> <p>By 2025, the number of elderly will double</p> <p>Misc. Statistics:</p>

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	<p>One in every 7 Americans speaks a language other than English in their home</p> <p>An estimated 6% of the population is gay/lesbian</p> <p>Persons with disabilities make up the largest minority group: 15% of US population</p> <p>ARE YOU PREPARED TO DEAL WITH ANY OR ALL OF THESE?</p> <p>Compare a “melting pot” vs. a “mosaic” society</p> <p>Changing concepts</p> <p>Traditional American approach to diversity: integration</p> <p>Cultural differences are normalized</p> <p>Problem: classifies differences as inferior</p> <p>New Perspective of mosaic: encouraged to be proud and maintain cultural heritage and uniqueness</p> <p>Multicultural: no distinct culture as American</p> <p>What kinds of things encourage or discourage the melting pot concept?</p> <p>Discuss the concept of three dimensions of Global Inclusion</p> <p>The Human Perspective</p> <p>The Cultural Perspective</p> <p>The Workplace Perspective</p> <p>These inclusions capture the basic attributes that make us who we are as individuals</p> <p>The Human Perspective</p> <p>Inclusions that might be detected visibly</p> <p>Physical or psychological in nature</p> <p>Examples: Age, ethnicity, gender, physical abilities, race, and sexual orientation</p> <p>The Cultural Perspective</p> <p>Define us as individuals</p> <p>Influence how we function in all areas of our lives</p> <p>Less visible</p> <p>Aspects of an individual’s diversity</p> <p>Examples: Economic class, education, geographic location, language, life experience, military experience, marital status/domestic partner, parental status, religion, and values</p> <p>The Workplace Perspective</p> <p>Inclusion of diversity from current and past experiences in the work environment</p> <p>Examples: Your level of autonomy, empowerment, decision making authority, functional level or classification</p> <p>Describe the concept of the four layers of diversity</p> <p>Personality: All aspects of personality</p> <p>Internal: Aspects not easily changed</p> <p>External: Aspects that can be altered</p> <p>Organizational: Past and current experiences</p> <p>Explain “Fairness vs. Equal Treatment”</p> <p>Many people think that fairness means treating everyone the same. How do we treat everyone the same work for a diverse staff?</p> <p>Define the term culture</p> <p>Values, beliefs, and behaviors common to a large group of people to include:</p> <p>Shared language</p> <p>Folklore</p>

Performance Objectives And Instructional Cues	OUTLINE AND PRESENTATION
	<p>Ideas and thinking patterns</p> <p>Communication styles</p> <p>Similar “truths” and life expectations</p> <p>The definition of culture includes:</p> <p>Body of learned beliefs, traditions, principles, and guides for behavior that are among members of a particular group</p> <p>Serving as a road map for perceiving and interacting with the world</p> <p>Not inherited but instead shaped by the social context in which we learn</p> <p>Discuss the Cultural Perspective</p> <p>Comprised of core elements that help define us as individuals</p> <p>Examples:</p> <p>Economic class</p> <p>Education</p> <p>Geographic location</p> <p>Language</p> <p>Life experience</p> <p>Military experience</p> <p>Marital Status/Domestic Partnership</p> <p>Parental Status</p> <p>Religion</p> <p>Values</p> <p>Explain where our “cultural programming” comes from</p> <p>Culturally programmed by age 3</p> <p>Born into culture and programmed in our belief system</p> <p>Acceptance without question</p> <p>Additionally:</p> <p>Culture determines our behavior and attitudes</p> <p>No one is culture free</p> <p>Most cultural rules are never written</p> <p>We interpret other people’s behavior through our own cultural software</p> <p>Cultural Programming Examples</p> <p>Can’t teach an old dog new tricks</p> <p>Big boys don’t cry</p> <p>?</p> <p>Explain stereotypes and their role in cultural diversity</p> <p>Misinformation</p> <p>“Mental Tapes”</p> <p>“Mental File Process”</p> <p>Discuss the development of Diversity Competence</p> <p>These competencies consist of 4 areas:</p> <p>Awareness</p> <p>Knowledge</p> <p>Skills</p> <p>Action/Behavior</p> <p>Awareness...</p> <p>Recognizing differences as diversity</p>

Performance Objectives And Instructional Cues	OUTLINE AND PRESENTATION
	<p>           Respect benefits of differences            Acceptance of differences            Understand historic effect            Clear sense of personal culture            Understand personal impact of organizational culture            Recognize similarities            Knowledge...            Factual information            Identify differences            Exposure            Learn            Explore            Skills...            Take personal responsibility            Point of view            Cross-cultural communication            Problem-solving            Conflict management            Work effectively            Action/Behavior...            Teach            Show patience            Develop personal plan         </p> <p>Final Tools Test</p> <p>           Trainee <u>you</u> and Sgt Martin            Did you ever have an idea that you went forward with and after words you told yourself that was probably not the right thing to do?            Do you ever get bored while waiting to serve a search warrant, while serving a warrant or right after serving a search warrant?  <b>BOWLING FOR SUSPENSION</b>  <b>WRITE YOUR OWN CODE OF ETHICS TO PASS DOWN TO THE PEOPLE</b>  <b>EVENTUALLY REPLACE YOU AT THIS JOB</b>            Every day is an ethics training day            Since ethics and integrity are the backbone of all law enforcement, reporting misconduct is an officers duty.            What types of words come to mind for the above?  <b>RAT, FINK, SNITCH OR SERPICO</b> </p>